

Message Text

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E.O. 11652: GDS
TAGS: PINS EG SU
SUBJECT: EGYPTIAN QUERY RE KHARTOUM MURDERERS

REF: CAIRO 7409

SUMMARY: KAMEL, IN BEHALF MININT NABAWI, ASKS FOR OUR REACTION TO POSSIBLE GOE RELEASE OF KHARTOUM EIGHT ON GROUNDS THAT THEY ARE ELIGIBLE FOR PAROLE. I NOTED THEIR SENTENCES HAVE NOT BEEN SERVED AND URGED THAT THEY BE KEPT IN PRISON. END SUMMARY.

1. FONMIN KAMEL TOLD ME YESTERDAY THAT MININTERIOR NABAWI HAD ASKED HIM TO RAISE WITH ME, INFORMALLY, THE MATTER OF THE KHARTOUM MURDERERS. AS WE KNEW, KAMEL RECOUNTED, THE KHARTOUM EIGHT WERE SENTENCED BY A SUDANESE COURT TO SEVEN YEARS IMPRISONMENT. NUMAYRI SUBSEQUENTLY REQUESTED SADAT TO TAKE THEM OFF HIS HANDS AND THEY HAVE FOR THE PAST FOUR YEARS OR SO BEEN IMPRISONED IN EGYPT. THEIR SENTENCE, KAMEL INITIALLY STATED, HAS NOW BEEN SERVED AND MININT WISHED TO KNOW OUR REACTION IF THEY WERE RELEASED.

2. I EXPRESSED PERSONAL VIEW THAT AMERICAN CONGRESSIONAL
SECRET

SECRET

PAGE 02 CAIRO 17704 260908Z

AND PUBLIC REACTION TO THE RELEASE OF THE KHARTOUM EIGHT WOULD BE VERY NEGATIVE. THE SENTENCE OF THE KHARTOUM COURT HAD HARDLY BEEN COMMENSURATE WITH THE GRAVITY OF THEIR CRIME. AHMED MAHER, WHO WAS ALSO PRESENT, OBSERVED THAT AMERICAN COURTS HAVE TREATED PROVEN MURDERERS EVEN MORE LENIENTLY. HE SAID HE WAS NOT SEEKING TO DEFEND THE KHARTOUM MURDERERS, BUT ASKED HOW GOE CAN BE EXPECTED TO

KEEP THEM IMPRISONED IF THEIR SENTENCES HAVE INDEED BEEN SERVED AND THEY ARE ELIGIBLE UNDER EGYPTIAN LAW FOR RELEASE. THEY WILL THEN IN EFFECT BECOME POLITICAL PRISONERS.

3. RECALLING THAT THE KHARTOUM MURDERS TOOK PLACE IN 1973 AND THAT THE SUDANESE COURT SENTENCING WAS SEVERAL MONTHS LATER, I SAID THAT I DID NOT SEE HOW THEIR SEVEN YEAR SENTENCE COULD BY NOW HAVE BEEN SERVED. KAMEL THEN SAID THAT, WHILE THEY MAY NOT YET HAVE SERVED THEIR FULL SENTENCE, SITUATION MAY BE ONE WHERE THEY WILL SHORTLY BECOME ELIGIBLE FOR PAROLE. IS HE WAS NOT SURE, BUT THOUGHT EGYPTIAN LAW PERMITS PAROLE AFTER APPROXIMATELY TWO-THIRDS OF A SENTENCE HAS BEEN SERVED. HE UNDERTOOK TO LOOK INTO THE TECHNICALITIES OF THE MATTER.

4. I SAID THAT IF THEIR FULL SENTENCES HAVE NOT YET BEEN SERVED, THERE WOULD SEEM TO BE NO NEED FOR GOE TO RAISE THE QUESTION AT THIS TIME. THEY OUGHT TO REMAIN IN PRISON. I KNEW THAT GOE HAS IN THE PAST BEEN UNDER CONSIDERABLE PRESSURE FROM, AMONG OTHERS, THE PLO AND NUMAYRI TO RELEASE THE KHARTOUM EIGHT. IN RECOGNITION OF OUR STRING VIEW ON THE SUBJECT, IT HAS COMMENDABLY REFUSED TO BOW TO THAT PRESSURE. WE HAVE APPRECIATED GOE'S ACTION IN KEEPING THE KHARTOUM EIGHT IMPRISONED.

SECRET

SECRET

PAGE 03 CAIRO 17704 260908Z

THE NATURE OF THEIR CRIME CLEARLY WARRANTS KEEPING THEM IN PRISON FOR AT THE VERY LEAST THE FULL PERIOD OF THEIR SENTENCE.

5. KAMEL ASSURED ME THAT, AS LONG AS GOE HAS A FIRM LEGAL BASIS ON WHICH TO HOLD THE KHARTOUM EIGHT, IT WILL NOT WISH TO DO ANYTHING ON THE MATTER THAT GOES AGAINST OUR WISHES. HE NEVERTHELESS ASKED THAT I INFORMALLY SOUND OUT WASHINGTON'S CURRENT THINKING ON THIS MATTER. I AGREED TO DO SO.

6. PLEASE ADVISE WHAT DEPT WISHES ME TELL KAMEL IN ANSWER TO HIS QUERY.

7. COMMENT: I SUSPECT, BUT HAVE NO HARD EVIDENCE, THAT NUMAYRI MAY AGAIN HAVE RAISED SUBJECT WITH SADAT DURING LATTER'S RECENT VISIT TO KHARTOUM TO ATTEND OAU SUMMIT. SADAT HAS TOLD US IN THE PAST THAT NUMAYRI HAS REPEATEDLY URGED HIM TO RELEASE THE KHARTOUM EIGHT. I DOUBT THAT NABAWI WOULD HAVE RAISED MATTER ON HIS OWN AND SUSPECT SADAT ASKED THAT INFORMAL INQUIRY BE MADE OF US. EILTS

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